

Serial No. 09/773,863
Amdt. dated December 22, 2005
Reply to Office Action of August 24, 2005

Attorney Docket No. CS10686

REMARKS/ARGUMENTS

Claims 1 through 10, 12, 13 and 15 through 23 remain in this application. Claims 11 and 14 have been canceled without prejudice or disclaimer. Claims 1, 7, 9, 10, 12, 15 and 23 have been amended.

Claims 1 through 4, 6 through 10, 12, 13, 15 through 19, 22 and 23 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,786,846 to Hiroaki ("Hiroaki patent"). Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Hiroaki patent in view of U.S. Patent Application Publication No. 2002/0118875 to Wilensky ("Wilensky publication"). Claims 20 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Hiroaki patent in view of U.S. Patent No. 6,282,206 to Hindus, et al. ("Hindus, et al. patent").

Claim 1 as amended provides, *inter alia*, displaying the abstract representation overlaying the second image, wherein the displayed position of the abstract representation indicates the location of the person within the video capturing volume of the camera, and claim 10 as amended provides, *inter alia*, displaying the abstract representation overlaying the second image on a display of the two-way communication device, wherein the displayed position of the abstract representation indicates the location of the user within the video capturing volume of the camera. Also, claim 12 as amended provides, *inter alia*, a video processor, operably coupled to the location determiner and the abstract representation generator, for positioning the abstract representation overlaying the second image in an image to be displayed to the person, wherein the position of the abstract representation indicates the location of the person within the video

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capturing volume of the camera, and claim 23 as amended provides, *inter alia*, a video processor, operably coupled to the location determiner and the abstract representation generator, for arranging the abstract representation overlaying the image received from the second two-way communication device together in a composite image to be displayed to the user, wherein the position of the abstract representation indicates the location of the user within the video capturing volume of the camera. Support for the above recitation is provided at page 18, lines 11 through page 18, and page 29, line 4, through page 30, line 2, of the specification.

In contrast, the Hiroaki patent, the Wilensky publication and the Hindus, et al. patent do not describe or suggest displaying the abstract representation overlaying a second image from a remote device, in which the displayed position of the abstract representation indicates the location of the person within the video capturing volume of the camera, as required by amended claims 1, 10, 12 and 23. Therefore, claims 1, 10, 12 and 23 distinguish patentably from the Hiroaki patent, the Wilensky publication, the Hindus, et al. patent and any combination of these references.

In rejecting canceled claims 11 and 14, the above Office Action states that it is well known to display the local user's video together with the remote user's video and references FIG. 15 A-C and col. 1, lines 28 through 40 of the Hiroaki patent. Also, the above Office Action makes a similar statement in rejecting claims 23 and further references col. 12, lines 4 through 30, of the Hiroaki patent. However, claims 1, 10, 12 and 23 are directed to displaying the position of an abstract representation to indicate the location of a person within a video capturing volume of a camera while displaying a second image from a remote device. The mere showing

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of a local user's video and the remote user's video (as shown in FIG. 15 A-C) is not sufficient to accomplish this feature. Claims 1, 10, 12 and 23 specifically provide for displaying the abstract representation *overlaying* a second image from a remote device to accomplish the above feature, which is not described or suggested by the Hiroaki patent.

Claims 2 through 9, 13 and 15 through 22 depend from and include all limitations of independent claims 1, 10, 12 and 23 as amended. Therefore, claims 2 through 9, 13 and 15 through 22 distinguish patentably from the Hiroaki patent, the Wilensky publication, the Hindus, et al. patent and any combination of these references for the reasons stated above for claims 1, 10, 12 and 23.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §102(b) and 35 U.S.C. §103(a) rejections of claims 1 through 10, 12, 13 and 15 through 23 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.


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It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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